

IN DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX

UNITED STATES OF AMERICA, ET AL.

PLAINTIFFS,

v.

CASE NO. 1:11-cv-00006

HOVENSA L.L.C.

DEFENDANT.

**[PROPOSED] ORDER**

This matter is before the Court on the Motion of Port Hamilton Refining and Transportation, LLLP (“Port Hamilton”) to clarify Port Hamilton’s obligations under the modified consent decree. Upon consideration of the motion and any opposition thereto, Port Hamilton’s motion is GRANTED. It is further ORDERED that the obligations set forth in the Consent Decree in this action, as modified by the Court’s Order of December 30, 2021 (“Modified Consent Decree”), became effective on December 30, 2021, and do not have application prior to that date unless expressly stated otherwise in the Modified Consent Decree. It is further ORDERED that Port Hamilton is under no obligation to install the additional emission control technology known as a flare gas recovery system based upon alleged emissions that occurred prior to December 30, 2021.

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Hon. Robert A. Molloy  
United States District Judge